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RE: RESCISSION OF PREVIOUS NONPUBLICATION REQUEST (35 USC 122(b)(2)(B)(ii) Applic. No. 10/810,437 Filed: 03/26/2004 Docket No. A04P1029	Number of pages being sent: <u>2</u> (including cover page)

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PTO/SB/36 (08-04)

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RESCISSION OF PREVIOUS NONPUBLICATION REQUEST (35 U.S.C. 122(b)(2)(B)(ii)) AND, IF APPLICABLE, NOTICE OF FOREIGN FILING (35 U.S.C. 122(b)(2)(B)(iii))	Application Number	10/810,437
	Filing Date	03/26/2004
	First Named Inventor	Gene A. Bornzin
	Title	SYSTEM AND METHOD FOR EVALUATING HEART FAILURE BASED ON VENTRICULAR END-DIASTOLIC VOLUME USING AN IMPLANTABLE MEDICAL DEVICE
	Any Docket Number	A04P1029
	Art Unit	3762
	Examiner	Unassigned

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A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby rescind the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).

Derrick W. Reed 4/6/05
Signature Date

Derrick W. Reed, Attorney for Applicant(s) 40,138
Typed or printed name Registration Number, if applicable

818-493-2200
Telephone Number

This request must be signed in compliance with 37 CFR 1.33(b).

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703)605-4283 or by e-mail at PGPub@USPTO.gov.

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Signature *Estella Pineiro* Date 4/6/05
Name (Print/Type) Estella Pineiro

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